

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

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| Willie James Edwards, Jr., |) | Civil Action No. 8:14-2333-BHH-JDA |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | |
| |) | ORDER AND OPINION |
| Georgetown County Detention Center |) | |
| Medical; Connie Reichard (Nurse), |) | |
| |) | |
| Defendants. |) | |
| |) | |
| |) | |

Plaintiff Willie James Edwards (“Plaintiff”), proceeding *pro se* and *in forma pauperis*, brought this civil action pursuant to 42 U.S.C. § 1983 seeking an investigation into his allegations of negligence and deliberate indifference to a serious medical need. (ECF No. 1-2 and 1-4.)

In accordance with 28 U.S.C. § 636(b)(1)(B) and Local Rule 73.02 for the District of South Carolina, this matter was referred to United States Magistrate Judge Jacquelyn D. Austin for pretrial handling. The matter is now before this Court for review of the Report and Recommendation (“Report”) issued by the Magistrate Judge on August 4, 2014. (ECF No. 22.) In her Report, the Magistrate Judge recommends that the case be dismissed *without prejudice* and without issuance and service of process against the Georgetown County Detention Center Medical. *Id.* Objections to the Report were due by August 21, 2014. Plaintiff has filed no Objections.

The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the Court. See *Mathews v. Weber*, 423 U.S. 261 (1976). The

Court is charged with making a *de novo* determination of any portion of the Report of the Magistrate Judge to which a specific objection is made. The Court may accept, reject, or modify, in whole or in part, the recommendation made by the Magistrate Judge or recommit the matter to the Magistrate Judge with instructions. See 28 U.S.C. § 636(b). In the absence of a timely filed Objection, a district court need not conduct a *de novo* review, but instead must “only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005).

After a careful review of the record, the applicable law, and the Report of the Magistrate Judge, the Court finds no clear error. Accordingly, the Court **ACCEPTS** and incorporates the Report, (ECF No. 22), by reference into this Order. It is therefore **ORDERED** that the complaint in this action is dismissed *without prejudice* and without issuance and service of process as against Defendant Georgetown County Detention Center Medical, and that the matter be returned to the Magistrate Judge for further pretrial proceedings.

s/Bruce Howe Hendricks
United States District Judge

September 19, 2014
Greenville, South Carolina